

STATE OF COLORADO } ss
COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Courthouse in Kiowa on Wednesday, the 27th day of March, 2019, there were present:

Christopher Richardson Chair
Grant Thayer Vice Chair
Rick Pettitt Commissioner

Amanda Moore Deputy Clerk to the Board

When the following proceedings, among others were had and done, to wit:

APPROVE RESOLUTION 19-14

SU-18-0042 ELBERT COUNTY GRAVEL PIT SPECIAL USE REVIEW. A REQUEST TO APPROVE A SPECIAL USE BY REVIEW ON A 68.46 ACRE PROPERTY TO ALLOW A GRAVEL EXTRACTION BUSINESS.

WHEREAS, the applicant, Robert Christian, has submitted an application (Case No. SU-18-0042) requesting approval of a special use by review to allow a gravel extraction business on a 68.46 acre property zoned A-Agriculture; and

WHEREAS, the subject property is located in Section 27, Township 9 South, Range 64 West of the 6th Principal Meridian in Elbert County; and

WHEREAS, the subject property is currently zoned A-Agriculture; and

WHEREAS, the subject property is addressed at 25295 N. Elbert Rd.; and

WHEREAS, on February 19, 2019, the Planning Commission held a public hearing on the application. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6-0 the Planning Commission is forwarding their recommendation to approve with conditions to the Board of County Commissioners for their consideration; and

WHEREAS, the Community and Development Services Department and the Planning Commission made the following Findings related to the application:

- 1. The proposal is in general conformance with the Elbert County Master Plan; and
- 2. The proposal meets all the criteria for approval in the Elbert County Zoning Regulations; and
- 3. The Elbert County Subdivision Regulations are not applicable to this project; and

- 4. The proposal is compatible with existing and allowable land uses in the surrounding area; and
- 5. The proposal will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area; and

approval to include:

WHEREAS, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise.

BE IT THEREFORE RESOLVED, the Board of County Commissioners does hereby approve SU-18-0042 ELBERT COUNTY GRAVEL PIT SPECIAL USE REVIEW with conditions of

- 1. Gravel mining operations will be required to meet all State regulations at all times.
- 2. Gravel mining operations must adhere to the setback distance of 75 feet as established by the Board of County Commissioners.
- 3. The applicant will be required to remove the Public Hearing sign(s) within seven (7) days of a decision by the Board of County Commissioners.
- 4. The Special Use shall not become effective until all fees are paid, conditions of approval are met, and the revised Special Use Review Site Plan Exhibit is recorded.
- 5. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
- 6. A Road Use Agreement shall be executed with Elbert County within 180 days of approval of the Special Use Review

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

CHRISTOPHER RICHARDSON

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AYE

RICK PETTITT

ATTEST: DALLAS SCHROEDER

COUNTY CLERK

BY: _

Deputy Clerk to the Board